



Florida Department of Transportation

JEB BUSH
GOVERNOR

605 Suwannee Street
Tallahassee, FL 32399-0450

JOSÉ ABREU
SECRETARY

December 14, 2004

Charles R. Harrison, Esquire
1413 Trovillion Avenue
Winter Park, Florida 32789

Re: Yang Enterprises, et. al. v. Curtis, Georgalis, FDOT
Consolidated Case Nos.: 02 CA 965 and 02 CA 3143, 2nd Circuit, Leon County.
Amendment to OIG Audit Report

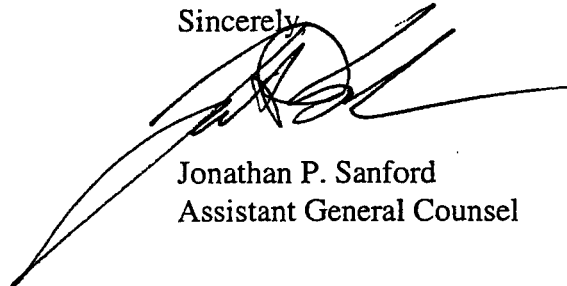
Dear Mr. Harrison:

Please find attached an original letter from the Department's Office of Inspector General, regarding an Amendment to the Department's Audit Report relative to Yang Enterprises.

If you have any questions or comments, feel free to contact me at (850) 414-5389 to discuss same, or send a written response to my attention and it will be forwarded to the Department's Inspector General.

Thank you for your time.

Sincerely,



Jonathan P. Sanford
Assistant General Counsel

cc:

Carlos Mistry, Audit Manager, FDOT's Office of the Inspector General
Cecil T. Bragg, Jr., CPA, FDOT's Inspector General





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SECRETARY

December 13, 2004

Charles R. Harrison, Esquire
1413 Trovillion Avenue
Winter Park, Florida 32789

RE: Yang Enterprises, Inc. (YEI), Contracts BA974 and P0162
Amended Audit Report

Dear Mr. Harrison:

Subsequent to the issuance of Audit Report Number 140-2014-01, we have obtained additional information related to the work status of a YEI employee, which indicates that the employee had authorized work status during the time his services were billed to the Department. As a result, we no longer question the \$35,264 in Note Number 5 of the audit report, as discussed below:

"Contract P0162 states under OTHER SPECIAL CONDITIONS; paragraph 5 G. *"The employment of unauthorized aliens by any contractor is considered a violation of section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of the contract."* There is an allegation from a related investigation concerning the work status of a YEI employee invoiced to the Department. Unless YEI can substantiate the authorized work status of this individual then the Department has cause for unilateral cancellation of the contract. Until this individual is determined to have authorized status, we must question the \$35,264 of labor invoiced for this employee."

Due to the information we obtained, we are reducing Total Questioned Costs to \$212,991 and the Amount Due to the Department to \$97,437. A revised page 1 of Appendix A from the report is attached.

Sincerely,

Cecil T. Bragg, Jr., CPA
Inspector General



APPENDICIES

Appendix A
Page 1 of 4

**STATEMENT OF COSTS INVOICED AND RESULTS OF AUDIT
YANG ENTERPRISES, INC.
CONTRACTS BA974 & P0162
FOR THE PERIOD APRIL 9, 1997, THROUGH MAY 15, 2002**

<u>Cost Elements</u>	<u>Paid Costs</u>	<u>Invoiced Costs</u>	<u>Questioned & Qualified Costs</u>	<u>Reference Notes</u>
<u>Contract BA974</u>				
Labor	\$108,653	\$108,653	\$0	
<u>Contract P0162</u>				
Software	1,520,000	1,520,000	0	
Maintenance	817,500	817,500	0	1
Labor	784,317	892,818	785,485	1, 2, 3, 6
Travel	37,992	45,045	29,292	4
Expenses	<u>11</u>	<u>11</u>	<u>0</u>	
TOTAL	<u>\$3,268,473</u>	<u>\$3,384,027</u>	<u>\$814,777</u>	

PAID COSTS	\$3,268,473
INVOICED COSTS	<u>3,384,027</u>
UNPAID INVOICED COSTS	(115,554)
QUESTIONED COSTS	<u>212,991</u>
AMOUNT DUE TO FDOT	<u>\$ 97,437</u>

Total Questioned and Qualified Costs (\$814,777) are comprised of Qualified Costs (\$601,786) and Questioned Costs (\$212,991).